

**The Importance of Language: Analyzing the Rhetoric of Human Rights Groups in
Mexico**

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Dedication

I dedicate this thesis to my mother, father, and brother who, with patience and compassion, supported me along the way. This thesis is also dedicated to my grandparents, María Gloria Sánchez Bucio and Antonio Camacho Vazquez, whose early sacrifice lead to me being able to obtain a college education.

Introduction

Human rights have come to encompass some of the highest societal ideals since they articulate indispensable liberal freedoms and delineate principles that are intended to preserve the dignity of populations through international protections. The development of human rights as a recognized collection of basic necessities one is entitled to have come along way since the adoption of the Universal Declaration of Human Rights in 1948 in the aftermath of World War II. Questions of if minimum levels of nutrition, health, and education are under what should be considered fundamental human rights have been addressed and have led to further developments in policies¹. Now the preservation of an individual's rights has become an essential pursuit for many international lawyers, as in the last few decades international law has become a centerpiece in the elevation of contemporary moral consciousness². Moreover, as countries have found themselves involved in socio-political conflicts the preservation and acknowledgment of human rights has been of significant importance since these conflicts have a tendency to exacerbate the threat to people's universal and inalienable rights. As such, the salience attached to human rights has had a significant impact on how people interact with one another and how governments should engage not only with the general population but with other foreign entities.

¹ Samule Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, MA: Belknap Press of Harvard University Press, 2018), 1-11.

² Moyn, *Not Enough*, 1-11.

When it comes to the Latin American case human rights networks have often had varied success in the region. Though many human rights institutions exist they have had troubles mobilizing and forging transnational alliances as national conflicts, political instability, and high levels of illiteracy and poverty have further thwarted efforts to expand protection for the most vulnerable. It is in part because of these factors that some countries have seen drastic improvement, while others continue to struggle to protect the rights of individuals. Chile and Argentina received international attention in the 1970s due to the oppressive military regimes. The actions taken by the upper echelons of the regimes brought pressure from international NGOs (non-governmental organizations), regional human rights institutions, international organizations like the United Nations, transnational activist networks, and nations such as the United States. The intensification of pressures by human rights institutions led to a decline in violations in both countries, although these improvements were beset by a lack of uniform enforcement. In some cases, disappearances decreased while torture remained the same or worsened³.

In Central America, human rights violations peaked in the 1980s. The rise being a consequence of the Kirkpatrick Doctrine, as it maintained that right-wing authoritarian regimes should be tolerated, if not supported, to combat leftist counterinsurgents. The doctrine came about due to Central America being a crucial arena during the Cold War of the 1980s, which shaped U.S. human rights policy towards the region. Countries like El

³ Sonia Cardenas, "Human Rights Change" in *Human Rights in Latin America*. (Philadelphia, PA: University of Pennsylvania Press, 2010), 136-140.

Salvador, Honduras, and Guatemala were treated as buffer states that could block the permeation of communism; this served to curtail human rights pressures and support repressive regimes. As such, the authoritarian governments with their draconian laws led to turmoil in Central America. Countries that resided in the region, like El Salvador, were able to improve the volatile and brutal state of their country partly through UN involvement in 1992⁴.

Furthermore, there is also the example of the Andean Region in which transnational organized crime continued to pose the most dangerous threat to political stability. Colombia, where the cultivation of the coca plant has increased by 130 percent between 2013 to 2016, has received aggressive assistance from the U.S⁵. However, along with this aid the U.S has overlooked and failed to chastise human rights abuses carried out on behalf of the local governments. In the end, the violation of human rights not only stem from those engaged in the illegal traffic of drugs, but also from government institutions attempting to combat organized crime⁶. Nevertheless, while each of these cases is unique and deserves further analysis, the following thesis will focus on the particular case of Mexico that, like the previous examples, also has unique difficulties pertaining to the protection of human rights.

Like many other Latin American countries, Mexico has been subject to long periods of violence and volatility that have affected the effectiveness of the implementation of

⁴ Cardenas, "Human Rights Change," 140-145.

⁵ Roger F. Noriega, "Colombia: Peace with Security," *American Enterprise Institute* (September 12, 2017): 1-4.

⁶ Cardenas, "Human Rights Change," 145-148.

human rights. Though, unlike South and Central America, Mexico has not been subject to military regimes, the one-party rule system that existed before the 2000 presidential election proved to have the same potential for violence. Even though the country as seen the abolition of the one-party system there continue to be problems that have beset human rights; as was seen when the 1990s homicides, that were in a downward trajectory, once again spiked in 2008 jumping to 57 percent and continued to increase through 2011⁷. The reason for such an occurrence is the result of the ongoing war on drugs, which, like Colombia, has seen violence perpetuated by criminal and governmental groups. During the administration of President Enrique Peña Nieto, which lasted from 2012 to 2018, was permeated with the augmentation of violence by criminal organizations and the involvement of security forces in repeated human rights violations such as extrajudicial killings, enforced disappearances, and torture⁸. From the previous evidence, one can see that Mexico has and continues to be afflicted by a variety of factors that threaten the safety and stability of Mexico.

The initial response to a lack of efficacy of human rights is to search for external factors that that might be thwarting progress, such as a lack of accountability for those who commit crimes; however, while it is necessary to look at social and institutional factors, it is also crucial to analyze the current manner in which human rights are conveyed. Human rights, like politics, is intrinsically connected to language in order to

⁷ David Shirk and Joel Wallman, "Understanding Mexico's Drug Violence," *The Journal of Conflict Resolution* 59, no. 8 (May 24, 2015): 1349-1351.

⁸ "World Report 2018: Rights Trends in Mexico," Human Rights Watch, last modified January 18, 2018, <https://www.hrw.org/world-report/2018/country-chapters/mexico>.

communicate a vision that listeners can choose to accept or reject. Thus, the manner in which the rights of individuals are expressed is vital as it not only articulates what rights a person is entitled to, but it reflects what is thought about the people whose rights are being claimed. Surely there are troubles that surround human rights rhetoric, such as its abuse by use as a tool in order to gain some alternate political end; as was the case with US intervention in Afghanistan, where human rights principles provided support for war and justification for ongoing presence of foreign presence. These cases are worrisome as they demonstrate how the language of human rights can be used to achieve less humanitarian ends⁹. Even though these are topics that should be further examined, the following text will not focus on such cases. Instead the following text will not be concerned with semantics, instead the focus will be placed on a more pragmatics view of language. The purpose for this being that the manner in which human rights groups can has also played a major role in which determining the success of a movement to incite change.

In the area of human rights there exist a variety of groups that concern themselves with the protection of the fundamental rights of individuals in Mexico, that range from national to international groups. However, in order to avoid composing an unwieldy text, as there is a rather prolific body of work in the area of human rights, the primary focus of this thesis will be on governmental institutions and grassroots organizations in Mexico. In this light, the following text will be concerned with exploring the manner of

⁹ Paolo G. Carozza, "The Protean Vocabulary of Human Rights," Foci.org.
<http://www.fciv.org/downloads/Carozza.pdf>.

communication of these two groups. The ultimate purpose of this analysis will be to demonstrate how through the use of philosophical theories of language that are centered around pragmatics and grassroots organizations, governmental institutions could better their engagement in the discourse of human rights. In sum, by the end of this thesis the hope is that the analysis provided in the following chapters will help one gain a comprehensive understanding of the strengths and deficiencies in both type of human rights organizations, and how they could perfect their communication in order to further their mission to change and expand public freedoms for the denizens of Mexico.

To conduct an analysis on the underlying problems of the discourse of governmental institutions, based on grassroots organizations and theories of language, there needs to be a clear delineation of how an analysis of existing lingua franca of human rights organizations will be carried out. To achieve such a task, this thesis will explore the aforementioned topic in five sections. The first chapter will outline the necessary background on human rights in Mexico and will detail the development of the two human rights institutions that will be central focus of the thesis. The section will include a concise overview of seminal moments on the development and adoption of human rights in Mexico from 1990 to 2017, such as the creation of key institutions, grassroots organization, and laws. Additionally, the two groups that be detailed in the chapter will be a government institution accredited by the United Nations, this the National Human Rights Commission (*Comisión Nacional de los Derechos Humanos*; CNDH), and the grassroots movements known as The Mexican Indignados Movement (otherwise known as *El Movimiento por la Paz con Justicia y Dignidad*). The reason for analyzing the

CNDH being that it is one of the primary government entity tasked with the responsibility of promoting and protecting human rights in Mexico. Moreover, The Mexican Indignados Movement is not only a grassroots organization that formed due to the recent developments of the war on drugs, but is has also been lauded by many for its massive achievements and moving activism.

The second chapter will be concerned with providing a cogent understanding of the philosophical theories of language that will be utilized to analyze the effectiveness of the rhetoric used by the governmental and grassroots organizations. More specifically, the arguments that will be explored will be those of Jennifer Lackey and Andy Egan. The former focuses on how groups make assertions, while the latter provides a theory of context dependence that takes into consideration the listener of an utterance.

Chapters three and four will be concerned with understanding the strengths and weaknesses of human rights discourse being conveyed by the National Human Rights Commission and the The Mexican Indignados Movement under the consideration of the arguments provided by Lackey and Egan. These chapters will provide the necessary information to carry out the final analysis in the remaining pages, as such each chapter will only concern itself with examining one institution.

On the final chapter, after having conducted the previous evaluations, this text will proceed to seek a clear understanding of what components are needed to compose more effective human rights legislation by the Mexican human rights official institution, and what future steps could be taken to perfect the current human rights lingua franca. In the

end the the analysis will not only look at those tasked with leading the human rights movements, but also how audiences are affected by such dialogue.

After having ruminated on the subject of the human rights dialogue in Mexico, the desired outcome is that the reader will not only gain a clearer understanding of the rhetoric of human rights groups, but how from observing such essential entities one can have a more comprehensive understanding of how efforts to protect human rights could be improved in Mexico. Taking the time to ruminate about such matters is as worthwhile endeavor as human rights are not some quixotic element, but rather a powerful tool that can prevent the degradation of a person's fundamental rights. One should learn how to properly articulate human rights, in a way that is both efficient and aware of the human beings it is intended to protect.

CHAPTER ONE

Understanding Human Rights in Mexico

To gain a more comprehensive understanding of the human rights institutions that will be examined in the following pages, it is essential to examine some of Mexico's historical background. In essence, the following pages will recapitulate the impact of the political repression that permeated throughout the late 1960s and early 1980s throughout most of the country. Human rights have been embedded in political context and political culture in Mexico prior to the 1960s; one such instance is in the 1857 Mexican Constitution, where the first 29 articles in Title I Section I, titled "De Los Derechos del Hombre" ("Of the Rights of Man"), describe what basic rights Mexicans are entitled to¹⁰. However, though cases of political repression, struggle against state violence, and efforts to protect human rights have been present in Mexico prior to the 1960s, the following account will not explore such instances. Instead, this section will primarily observe the events that unfolded in the 1960s and those that followed after, as it is good praxis to do so since it was during this era that many protest movements rose to prominence to contend with the Mexican government about the violation of human rights. These protests movements that formed as a result of the conflict between the Mexican people and the Mexican state eventually lead to the emergence of government institutions and

¹⁰ Daniel Márquez Gómez, *El Proceso Constituyente Mexicano: A 150 Años De La Constitución De 1857 Y 90 De La Constitución De 1917* (Mexico City, Edo. Méx: Instituto De Investigaciones Jurídicas, 2007): 638-640.

grassroots human rights groups intended to guarantee and defend the rights of the general populous. Thus, it is worth while to explore the events that began in the 1960s and their subsequent development, as they provide significant context to the current state of human rights in Mexico.

On the History of Human Rights in Mexico

During the 1960s, Mexico was engulfed in a series of internal conflicts, where the ruling political party, the PRI (*Partido Revolucionario Institucional*, or Institutional Revolutionary Party), engaged in attacks waged primarily against the left and other activists. The conflict between the Mexican state and those who opposed the state, that began in the 1960s, would be given the epithet “*Guerra Sucia*” (“Dirty War”) and would not end until 1982. During this time, the quotidian nature of violence and repression done by the Mexican state would serve as an impetus for many groups to take action and respond to the atrocities they faced¹¹.

Like many other parts of the world at this time, Mexico was experiencing the birth of a new student movement. During the 1960s many students openly spoke about their grievances against the government and their demands for change. The enmity between the State and the government continued until it reached its zenith in 1968. During the Dirty War’s turning point in 1968, hundreds of thousands of students and other young

¹¹ Dolores Trevizo, "Political Repression and the Struggles for Human Rights in Mexico," *Social Science History* 38, no. 3-4 (June 17, 2014): 483-484.

people protested in the streets of Mexico City. Among the things they demanded were the liberation for political prisoners, the derogation of the antissubversive laws of the 1940s that made it possible for the government to civilize public dissent, compensation for the families of students injured or killed by police officers, and the implementation of systems to stop and hold police officers accountable for their unjust abuse towards students¹². However, on October 2nd of 1968, a couple of days before the summer Olympics, a large crowd of students became victim of a violent act when a peaceful rally at the Three Cultures Square in the Tlatelolco housing complex ended in police officers and military troops shooting into a crowd of unarmed students¹³. The Tlatelolco Massacre, which was orchestrated by government officials under the administration of President Gustavo Díaz Ordaz, resulted in the death of more than 300 students. The events of the massacre compelled many students to engage in more clandestine operations¹⁴. Yet, the death of the students proved to have a significant impact that rippled throughout Mexican society.

Not only did the massacre outrage Mexico's intelligentsia, it also came to represent everything wrong with the PRI in the view of many right-wing businessmen. Some of these groups even called it a source of shame that some businessmen had applauded the government's actions. However, it was the those on the left, especially the family

¹² Trevizo, "Political Repression," 488-490.

¹³ Joe Richman and Anayansi Diaz-Cortes, "Mexico's 1968 Massacre: What Really Happened?" NPR, last modified December 1, 2008, <https://www.npr.org/templates/story/story.php?storyId=97546687>.

¹⁴ Trevizo, "Political Repression," 489.

members of the disappeared and killed leftist who did the most to emphasize the excessive violation of human rights¹⁵. In the aftermath of Tlatelolco, nonviolent protest movements, composed by family members of disappeared leftist and other groups who expressed much vitriol towards the actions of the government, continued to expand. Finding their acts obstreperous, the government increasingly relied on the army, police, and special forces to suppress so-called acts of rebellion on behalf of the nonviolent protesters. In light of these acts, groups dedicated to seeking justice towards those who had been harmed at the behest of the Mexican government began to emerge throughout the '70s and '80s. These activists, along with other external human rights organizations, continued to pressure the Mexican government to recognize its actions and comply with human rights norms¹⁶.

Some progress was made by human rights activists in June of 1980 when the Mexican government began to comply with the UN Declaration on the *Protection of all Persons from Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*. But, even with the adoption of the declaration, the government was still tolerant of widespread abuse. However, as local pressure and international scrutiny against politically motivated state violence increased, the Mexican government established the CNDH in 1990¹⁷. In the end, the culmination of the era of turmoil, volatility, and massive political repression that started in the 1960s, resulted in local human rights operations and

¹⁵ Dolores Trevizo, *Rural Protest and the Making of Democracy in Mexico, 1968-2000* (University Park, PA: Pennsylvania State University Press, 2011): 82-85.

¹⁶ Trevizo, "Political Repression," 490.

¹⁷ Trevizo, "Political Repression," 490-502.

official human rights institutions being adopted and be acknowledged by the Mexican government.

The Making of the National Human Rights Commission

On June 6 of 1990, the CNDH was established under the decree of then-president Carlos Salinas de Gortari. Established in the aftermath of the Dirty War, the CNDH was created with the mission to “protect, observe, promote, study, and disseminate the human rights protected by the Mexican legal system.” As previously mentioned, the creation of the CNDH came about after many years of human rights advocacy by nongovernmental organizations, which had documented abuses done by the Mexican government. From the documentation attention and condemnation from international communities, who could not ignore the events that were unfolding in Mexico, increased. Thus, in May 1990 the Inter-American Commission on Human Rights intervened by (IACHR) claiming that Mexico had violated political rights during various political elections. With the pressure on the Mexican government to take responsibility for their sordid actions, from both domestic and international actors, the CNDH was established¹⁸.

When the CNDH was founded, it was as a component of the Interior Ministry and had a legal standing that made it independent from the executive branch. However, the

¹⁸ "Mexico's National Human Rights Commission | A Critical Assessment," Human Rights Watch, last modified September 12, 2017.
<https://www.hrw.org/report/2008/02/12/mexicos-national-human-rights-commission/critical-assessment>.

appointment of the president and budget of the CNDH was still contingent on the president and his council members. It was not until 1999 that the CNDH became completely autonomous as a part of a constitutional reform that granted it complete independence from the executive branch. Since then, it has been a task of the Senate to consult with civil society organizations prior to the appoint the president and council members of the CNDH¹⁹.

Today, the CNDH functions as an institution where individuals can file complaints, which are then reported to the national commission. These complaints can be filed by individuals who have had their rights violated or by someone whom they have a kinship with, such as relatives. Allegations can be made in cases where government officials commit, tolerate, or consent to the violation of an individual's rights²⁰. Moreover, the CNDH has five investigative *areas visitadoras* (visiting areas), which do most of the commission's substantive work. The *modus operandi* consists of investigating and documenting human rights abuses and then employing a variety of instrument to resolve the cases. One of the most common devices used in cases of more sordid human rights abuses is a public document that details the violations and identifies the actions that the state institutions should take. The document is known as *recomendación*, or recommendation. There are also special reports, but these are made when documenting generalized practices or systemic abuses. The report usually recommends how the

¹⁹ "Mexico's National Human Rights Commission | A Critical Assessment."

²⁰ Caroline Beer and Neil J. Mitchell, "Democracy and Human Rights in the Mexican States: Elections or Social Capital?" *International Studies Quarterly* 48, no. 2 (2004): 300.

government should address the documented violations. Lastly, for the cases that do not qualify under the category of “serious,” the CNDH can issue a public *recomendación*, but the first step usually consists of an attempt to “conciliate” the case by creating a signed agreement with the government authorities responsible for the documented abuses. These agreements, like the *recomendaciones*, contain analyses of the human rights abuses and comprise detailed steps to redress the violations²¹.

Due to their arduous work, the CNDH has made several contributions to the promotion of human rights in Mexico. One of these instances being in 1995 when the CNDH documented the Aguas Blancas Massacre, where 17 people died and several others were injured after an altercation with police forces. In response to the incident, a *recomendación* was issued by the CNDH to request the Supreme Court to analyze the case. Both the CNDH report and the Supreme Court’s report were later used by the Inter-American Commission on Human Rights to respond to the government’s failure to follow up and ensure that justice was done²². Moreover, the CNDH has made publications to promote the education and awareness of human rights in Mexico, such as with the publication of their book “*Los Derechos Humanos en México: Un Camino Largo por Andar*.” The book displays images from the 2001 photography contest made by the CNDH, where they are accompanied with the narration of human rights developments in Mexico²³.

²¹ "Mexico's National Human Rights Commission | A Critical Assessment."

²² "Mexico's National Human Rights Commission | A Critical Assessment."

²³ Miguel Angel Porrúa, *Los Derechos Humanos En México: Un Largo Camino Por Andar* (Mexico City, Edo. Méx: Comisión Nacional De Los Derechos Humanos, 2002).

Thus, since its foundation, the CNDH has made much progress in addressing and responding to human rights violations. In spite of various difficulties, the commission is seen as a key institution that fomented an awareness for the protection for human rights. Today, despite its controversy and limitations, the CNDH continues to be an important element in the fight for the protection and promotion of people's inalienable rights in a country that continues to struggle to aid those who often find themselves being the victims of egregious crimes.

The Inception of the Grassroots Organization that is El Movimiento por la Paz con Justicia y Dignidad

The consequences of the Dirty War not only lead to the creation of accredited government institutions like the CNDH, but, as previously mentioned, also created a trajectory towards the formation of the first human rights organizations. As Mexico developed and the sociopolitical environment evolved, largely due to the ongoing war on drugs, new grassroots organizations emerged as a response to the government's inaction towards addressing ongoing human rights abuses. These organizations not only sought to preclude more deaths, but to alter the manner in which the government approached combating criminal groups. One of the grassroots organizations that came into existence as a consequence of the exacerbating violence in Mexico, and the organization that will be analyzed in the following pages, is the protest movement known as *El Movimiento por*

la Paz con Justicia y Dignidad (Movement with Peace with Justice and Dignity) or by its acronym MPJD.

Coming about in 2011, during the presidency of Felipe Calderón (2006-2012), the MPJD was established by the poet Javier Sicilia due to the massive human toll that had come as a result of the war on drugs. At the time when Sicialia gave the speech, that would propel his movement into national and international recognition, 40,000 deaths had come about due to war on drugs. The staggering number of death not only produced outrage among many, but also a sense of sorrow for those who had lost a loved one as a result of the rising violence. It was these strong emotions that made much of the Mexican population invested and willing to participate in the new movement²⁴.

The inciting incident for the formation of the movement was the assassination of Sicilia's son, who, along with six other people, was found dead in the state of Cuernavaca. The birth of the movement was spontaneous as it came about when Sicilia announced that he would be starting a caravan heading towards Mexico City, where he would demand that the government change its strategies in fighting against those involved in the illegal trafficking of drugs. The path towards the Mexican capital lasted various days, during which the movement did not gain much traction in the media; however, the testimonies of the collateral victims of the war that were slowly added to the movement gave it enough momentum to gain public recognition. By the time the caravan had reached el Zócalo, the main square in Mexico City, there were thousands of people

²⁴ Marisa Belausteguigoitia Rius, "Emplazamientos: Construcción De Estrategias Políticas Desde El Padre Subvertido Y Sus Narrativas Del Consuelo," *Debate Feminista* 46 (2012): 32-35.

waiting in support. As more voices joined the movement, the media was increasingly compelled to recognize the movement²⁵. The movement also gained traction in other parts of the world. Mexicans abroad and people from various nationalities that sympathized with the movement demonstrated their support in various ways. In Japan where there was a movement called *1000 Cranes for Peace in Mexico*, for which 1000 paper cranes were made for the healing of the Mexican people. Meanwhile, in France there was a movement called *Ephemeral Ciudad Juarez*, where a group of Mexicans in Paris filled the Trocadéro with empty envelopes meant for president Calderon with the sender being one of the many victims of the violence in Mexico²⁶.

The movement made people confront the egregious effects of the war on drugs and reflect in the enormous human toll that has come about as a consequence. With the exacerbation of the war on drugs relatively minor crimes and conflicts between opposing drug organizations had escalated and became increasingly violent. The situation not only resulted in the death of those involved in illicit activities, but also in multiple collateral deaths. Among those who died were civilians, journalists, and social leaders. In some cases, the perpetrators of human rights violations were those who were tasked with protecting civilians, this being the case with the police and the army²⁷. The national picture from the 1990s to the mid-200s was one that displayed an annual decline in

²⁵ Ilán Bizberg, "Los Nuevos Movimientos Sociales En México: El Movimiento Por La Paz Con Justicia Y Dignidad y #YOSOY132," *Foro Internacional* 55, no. 1 (2015): 274-275

²⁶ Rocato, ed. *Del Dolor, La Rabia Y El Amor: Un Año Después* (Mexico City, Edo. Méx: Ediciones Clandestino, 2012): 97-99.

²⁷ Bizberg, "Los Nuevos Movimientos Sociales En México," 263-264.

homicides of 2.6 percent per 100,000. However, in 2008, with the war on drugs, according to the National Institute of Statistics and Geography (INEGI), homicides jumped 57 percent and continued to grow dramatically throughout 2011. The CNDH reported a growing number of drug related homicides between 2000 to 2007, but after 2007 this number climbed sharply²⁸. It was this harsh reality that the MPJD has and continues to emphasize, as the war on drugs continues to aggravate and affect various sections of Mexican society.

Since its inception, the MPJD has organized a series of protests, made caravans, held meetings with government officials, and delineated the actions needed for prosperous change. The movement is comprised of victims of violence who have lost a family member due the exacerbation of the government's efforts to combat organized crime. The people who have contributed and are active members have united to prevent the government from disparaging their grievances and to hold accountable those who have taken away their loved ones. Moreover, the MPJD confronts the government and the political system that has led to the war on drugs. As such, the movement further confronts the state not only regarding its inability to protect, but also in its complicitness in committing abuses against the Mexican population²⁹.

During their marches and activities, apart from emphasizing the sentiments of those who have suffered due to the violence in Mexico, the movement highlights the

²⁸ Shirk et al., "Understanding Mexico's Drug Violence," 1353.

²⁹ Bizberg, "Los Nuevos Movimientos Sociales En México," 279-281.

importance of what they call the six points³⁰. The six points are six demands that the MPJD has established as key towards achieving their goal of making Mexico a safer for its citizens. The six points are:

- 1) Clarify murders and disappearances, as well as give the name of victims.
- 2) End the war strategy and take a citizen security approach.
- 3) Combat corruption and impunity.
- 4) Fight the economic roots and profits of crime.
- 5) Provide emergency attention to the youth and create effective actions to recover the social fabric.
- 6) Implement a participatory democracy.

The MPJD has had various achievements since its inception. Besides raising public awareness of an issues that affects a large portion of the Mexican population, in May of 2012 the family members of the people who have been victims to the ongoing violence in Mexico were able to talk to the presidential candidates. Moreover, in January 18 of 2013 the movement was able to complete on of its major objectives, this being the approval of the *Ley General de Víctimas* (General Law of Victims). The new legislation foresees a system that has created a national registry for victims, assistance and reparation for victims, and many tools used to help those affected by the pervasive volatility in Mexico. In addition, the MPJD was able to further persuade the government into creating the

³⁰ Mpjd, "Los 6 Puntos Del MPJD," Movimiento Por La Paz Con Justicia Y Dignidad, <http://www.mpjd.mx/puntos/>.

Comisión Ejecutiva de Atención a Víctimas (Executive Commission for Attention to Victims) or CEAV³¹.

Since its inception, the MPJD has not only been a place for people to share their grievances, but also for them to mobilize and demand action on behalf of the Mexican government. When the caravan mobilized it was approached on the road numerous times by groups of mourners who wanted to share their anguish since no one else would listen. No one could have foreseen that a small caravan composed of mourners would have gained enormous momentum. In the end, the MPJD was able to elevate the voices of those who suffered, as it became much bigger than anticipated by receiving the support from family members who had lost a loved one, journalist, and human rights organizations³². Today, the movement continues to advocate for those who have been ignored by the government.

³¹ Pietro Ameglio Patella, "Movimiento Por La Paz Con Justicia Y Dignidad: Construir Paz En La Guerra De México," *Polis. Revista Latinoamericana*, no. 43 (2016): 11.

³² Rocato, ed, "*Del Dolor, La Rabia Y El Amor*," 105-107.

CHAPTER TWO

Exploring Philosophical Theories of Language

Having established the historical context surrounding human rights in Mexico, it is now necessary to describe in light of which theories of philosophy of language the human rights texts in the following texts will be examined. Though there is a variety of manners in which language has been analyzed in philosophy of language, examining the context of an utterance is the more effective manner in comprehending the essential differences between the CNDH and the MPJD. Since it is the case that what one says and perceives is contingent on not only the speaker of those messages but the context of speech and thought, it is essential to remain cognizant of how certain contexts or types of speakers may affect the efficacy of modern moral language.

With the previously established goals in mind, the following analysis will focus on two theories under the linguistic branch of pragmatics, these being those articulated by Jennifer Lackey and Andy Egan. The former text focuses on advocating for the inflationary view where individual assertion do not matter and instead it the group itself that asserts. This is done by looking at other aspects of group assertion, such as the presence of a spokesperson. The latter argues for a theory of context-dependence in language that does not only feature the utterance's origin, but instead seeks to improve the theory by looking at the destination of an utterance. This section will begin by exploring and condensing Lackey's argument and then proceeding to do the same Egan's for argument.

Jennifer Lackey on Group Assertion

In Group Assertion, Jennifer Lackey's articulates an argument on behalf of the inflationary view. To convey her argument, Lackey begins by establishes what composes the deflationary approach and then proceeds to demonstrates where the approach fails. From there, the text turns to describing the inflationary view, and how it is seen the preferential view.

In order to comprehend Lackey's argument, one must first establish some essential definitions. On one had, one has the deflationary approach, in which the statements and acts of a group are the state and acts of the individuals in the group "summed up." On the other hand, there is the inflationary approach, which cannot involve the summing up of people's individual action and states. More than this, the inflationary approach goes as far as stating that a group can assert a proposition even when there is no corresponding state or act of a group member. Additionally, there are two kinds of assertion that are discussed in Lackey's argument. The first is *coordinated group assertion*, in which members work collaboratively to literally compose a single sentence. Under this view, it is a collegial effort to make an assertion, as it is done through all of the group members reasonably intending to convey an assertion together in virtue of coordinated individual acts. This is not to say that each member of the group brings different parts that together make a single assertion, but rather the members of the group work collaboratively and not in a manner in which the final assertion is not composed of different individual

assertions. The second is *authority based group assertion*, in which an assertion is offered through an authorized spokesperson. The spokesperson speaks for a group with proper authority, and he may or may not be a member of the group for which he speaks³³.

Lackey begins her argument by defining the key characteristics of the spokesperson of a group under Kirk Ludwig's view of the status function model. Ludwig's view on proxy agency states that when one person or subgroup's does something, it counts as or is seen as another person or group's doing something, under which a spokesperson for a group is a paradigmatic instance of a proxy agent. John Searle called the previously iterated view, *status function*. Under the concept of *status function*, some object, thing, or person has a particular social function, and it holds that function in virtue of its having acquired a particular status among a relevant group of people. An example of this being the status function of money, such as a twenty-dollar bill, which is an ordinary object unless a particular group arrives at the consensus that it holds a particular social status. As such, under the status function model an individual who makes assertions as a spokesperson on behalf of a group, can only do so in virtue of being granted his status by the relevant members of the community, which here entail all the members of a group and audience in question³⁴.

However, Lackey highlights, that there are two central problems with Ludwig's view. The first one being that a group's asserting does not depend on audience recognition. More specifically, groups can make assertions through a spokesperson not

³³ Jennifer Lackey, "Group Assertion," *Erkenntnis* 83, no. 1 (February 1, 2018): 22-23.

³⁴ Lackey, "Group Assertion," 23-25.

only in instances when the audience fails to regard the speaker as having the role of the spokesperson for the group, but also when the audience discards both his status and his corresponding assertion. To further clarify Lackey's problem with Ludwig's view instance, one must look at scenarios that highlight these issues. For instance, suppose, that a chief of police of a sexist community has the power to designate a spokesperson for a highly publicized case, and for the first time in history he appoints a woman to fulfill this role. The community finds the appointment of a woman to be undesirable and thus they refuse to listen to the spokesperson's assertions. According to Lackey though the audience has refused to listen to anything the spokesperson has said, she has nonetheless asserted on behalf of the police department as what is needed for a spokesperson to speak on behalf of a group is the authority to do so. This case would also hold true for the individual who is ignored, as is the case when someone refuses sexual advancements but is ignored by their partner. The reason being that the person in the situation has the authority to refuse unwanted advances even when ignored. It is because of these factors that Lackey disagrees with Ludwig's claim that a spokesperson asserting on behalf of a group needs audience acceptance, as she sees the situation as being more analogous with one being a victim of testimonial injustice than it being related to the nature of a spokesperson³⁵.

Second, another problem that Lackey highlights about Ludwig's view is that when a spokesperson asserts on behalf of a group, it is not required that the members of the group accept or recognize the authority of the spokesperson. Though it might sound

³⁵ Lackey, "Group Assertion," 24-25.

contradictory to say that the group does not need to recognize their spokesperson, such as a case it is plausible. The reason being that the only thing that a spokesperson needs to make an assertion on behalf of the group would be the authority to be the spokesperson of the group. Taking the previous example of the police department, one can suppose that the officers of the department refuse to accept a woman as a spokesperson. If one were to take Ludwig's view, the spokesperson's statements would not be the group's assertion because it would require that all of the members of the group accept the structures that allowed for the appointment of a woman as a spokesperson. Ludwig responds to this worry by stating that when one becomes the member of a group then that inherently implies one's accepting of the policies and procedures of the group. However, there are faults in Ludwig's explanation. To observe the fails one needs to turn to the example of the sabotaging member of a group. The example being of a member of a group who joins a group but actively works to undermine the policies of the group. The sabotaging member is a part of the group, yet it would be wrong of one to say that he accepts the group's policies. The example negates Ludwig statement since the sabotaging members action support his rejecting rather than accepting of the institutional arrangements he is expected to follow³⁶.

Having rejected Ludwig's view, Lackey proceeds to articulate her view which she calls *pluralist*. The pluralist view offers a multitude of mechanisms for securing the relevant kind of authority needed for being a spokesperson. A possible way that authority may be granted is through the explicit agreement among members. Another way is

³⁶ Lackey, "Group Assertion," 25-26.

through tradition or inheritance, such as when a member of the monarchy inherits the right to not only rule but also represent his country. Additionally, one maybe granted authority through non-objection (such as when an individual offers her perspective of what the collective entity believes, and this is accepted because no one in the collective rejects her view) or because of moral reason (such as someone rejecting sexual advances). Moreover, Lackey accepts the conception of authority to be de facto or descriptive rather than normative. This view authority means that a person that acquires authority does not need their power to derive from moral or political legitimacy. In the case where a group of rebels successfully carries out a coup to overthrow the existing regime, they would have the right to speak on behalf of the country even if their taking of power is illegitimate. What becomes clear, after all of these examples, is that there is no standard manner in which one might obtain the appointment of a spokesperson.

In addition to the aforementioned, Lackey also accept that most spokespersons have a certain degree of autonomy or independence. A spokesperson often asserts on behalf of a group without consulting with the group or its members regarding the specific content of a proffered statement. Such cases include when a spokesperson is required to speak for a client on the spot. The situation makes a spokesperson give statements based on the extrapolation of information from what he has been given. Another instance being when a spokesperson has expertise that go beyond what the represented group and its members have, like in the case when an attorney represents a client in court. Thus, by taking into account that a group asserts through an authorized spokesperson and that a spokesperson

has a certain level of autonomy, it is plausible for a group to make propositions about which it is unaware³⁷.

After established her views, Lackey articulates the accounts of group assertion (CGA) and authority-based group assertion (ABGA). Under CGA a group G asserts that p in a coordinated way if and only if the members of G coordinate individual acts so that they all reasonably intend to convey that p together in virtue of these acts³⁸. In ABGA group G asserts that p in the authority-based way if and only if that p belongs to a domain d , and the spokesperson:

- I. Reasonably intends to convey the information that p in light of the communicable content of an individual act of communication.
- II. Has the authority to convey the information in d .
- III. Acts in a way in virtue of being a representative of G .

On the first point, the focus is on the acts of communication that do not involve statements such as pointing, nods, and other gestures. In this case when one intends to convey something the information that p is in virtue of features about the assertion. The intention in question needs to be reasonable. For instance, one does not know that individual x name is Tom through his winking unless there is prior agreement. Under the second point a group can assert that p even when not a single member of the group intends to convey that p , this permits the spokesperson to have autonomy and assert “on the spot.” Also, point two does not allow the spokesperson to assert on the group’s behalf

³⁷ Lackey, "Group Assertion," 29-30.

³⁸ Lackey, "Group Assertion," 31.

on unauthorized topics. For instance, a spokesperson might have the authority to speak on a company's behalf about environmental issues but not about the company's finances. Moreover, under point three, it is required that a spokesperson assert on G's behalf in virtue of the spokesperson's authority as a representative of G. Furthermore, point three rules out the spokesperson's individual assertions from counting as a group assertion, even if one of the members, this being the spokesperson, has the authority to speak on the behalf of the group³⁹.

After clarifying the differing aspects of her argument, Lackey asserts that group assertion is not reducible to individual assertion. For Lackey, her argument that a spokesperson asserting on behalf of a group in the right way can be constitutive of group assertion, and thus, the phenomenon, can be understood in inflationary terms since it is possible for group to assert that *p* even when no member of the group asserts that *p*. However, Lackey acknowledges that some might question how substantive her conclusion truly is. To be more exact she argues against the notion that her position could be taken to be deflationary as it would seem that the assertions of the group seem reducible to individual assertions, here the individual assertion is that of the spokesperson. But Lackey states that when a spokesperson is speaking on behalf of a group he is not himself asserting anything. A spokesperson asserts what best reflects the view of the group he is representing. When a spokesperson reports that *p* on behalf of a group, there is no sense in which he represents himself as knowing or having the evidence that *p*. Instead, it is the party the spokesperson represents that is being shown as

³⁹ Lackey, "Group Assertion," 31-34.

having the appropriate epistemic relation to that *p*. As such, it is the group the one who is asserting the view in question and is the one who bears responsibility for the assertion. Thus, it should be clear that spokespersons are not asserting anything in cases of authority-based group assertion. A spokesperson is simply the means by which the group conveys an assertion. A deflationary view would imply that⁴⁰.

In her paper, the articulation of Lackey's argument provides the framework for a group assertion account with an emphasis on authority-based group assertion. She moves away from the deflationary view, where assertions are understood as being individual assertions, since group assertion can occur even when no one in the group makes a proposition. More importantly, through her examples and explications, Lackey demonstrates the component of a central spokesperson can alter how one understand and analyses how group assertion may function. Thus, Lackey makes one reconsider the intricacies of communication.

Andy Egan on Context-dependence

In "Billboards, Bombs and Shotgun Weddings," Andy Egan argues against the traditional way of thinking about context-sensitivity in language. Instead, he proposes that one needs a theory of context-dependence that allows for content to be contingent not just on the features of the utterance origin, but also on the features of its destination. To support his argument, Egan begins by describing the traditional manner in which context-

⁴⁰ Lackey, "Group Assertion," 37-40.

sensitivity is thought about within the field of philosophy of language. From there he proceeds to propose counterarguments for the traditional view and concludes by showing how the faults in the speaker only position compel one to adopt a view that acknowledges the receiver of the utterance of the speaker.

Before examining Egan's argument, it is necessary to clarify what one means by context-dependence and establish how certain terminology is used within the framework of Egan's argument. Many sentences in natural language are context-sensitive, meaning that the way in which sentences represent things as being and the message that their use conveys, is contingent on the context in which they are used. For instance, when Amy says "I am hungry," she expresses the proposition that Amy is hungry. The sentence concerning Amy seems simple enough, but some sentences can have a heightened dependent on their context. One case is with the sentence "Sundance is ready." The sentence could express the proposition that Sundance is ready for Breakfast, but if the context were to change the same sentence could express the proposition that Sundance is ready to make a break for it. From these examples one can observe why the standard model of context dependence in semantic theorizing does not associate sentences with contents simpliciter, but with characters. This implies that context-dependence, rather than looking at the definitions of the components of a sentence, looks at the characters; which are functions from context of utterance to contents.

Under the two-dimensional semantics, David Kaplan adhered to the distinction between linguistic tokens and linguistic types. Linguistic tokens are expressions that occur in contexts, these have reference but no descriptive meaning. Any utterance of 'I'

in a context refers to an individual, such as if Tom uttered “I am happy” the preposition would express something about Tom. Linguistic types are expression apart from context, they have descriptive meaning but no referent. Here the ‘I’ does not have a descriptive meaning. The meaning comes from the conventionally assigned rule that ‘I’ refers to who utters it. From this, Kaplan concludes that one must distinguish from two types of meaning. Linguistic tokens have contents, where the content of a sentence is the proposition it expresses. Linguistic types have characters, where the character of an expression is a conventionally referred rule determining which content a token of that expression expresses if it is uttered in a context⁴¹. With this in mind, a sentence has the character it has because of the lexical items have the characters they have, which are also functions from contexts of utterance to semantic values.

Additionally, it is essential to establish what one means by context. For Egan context is intended to fix the semantically relevant properties of the speaker, or of the speaker's particular situation at the time of an utterance. Though there are different propositions on what factors are fundamental for establishing context, Egan demonstrates how the more standard concept of context fails, and instead proposed how one that could improve it. Furthermore, content is it taken to be concerned with what aims to capture what is important, and is something that tells one how a given representational item represents things as being⁴².

⁴¹ Christian Nimtz, "Two-Dimensional Semantics—the Basics," (2008): 6-7.

⁴² Andy Egan, "Billboards, Bombs and Shotgun Weddings," *Synthese* 166, no. 2 (January 2009): 251-254.

Having established the terminology, one must now look at what Egan is developing to be the standard view that he will be arguing against. In terms of context, the argument made by Egan looks at the view set by Lewis, where context is fixed once one knows the world in which the utterance takes place, the time at which it occurs, and the speaker of the utterance. Thus, one can take w to be the world of utterance, t the time of utterance, and x the speaker of the utterance. Moreover, since semantic content is not all that is conveyed in an utterance, as other things may be understood via pragmatic means, the Gracian picture is also assumed. The picture is one where one's linguistic competence delivers a compositionality delivered content, and in regard with a lot of potentially non-linguistic information, the content gets leveraged into a variety of additional messages conveyed. Lastly, the Kaplanian way of thinking of context-dependence of the speaker only view or speaker-positional theory of context-dependence, on which it's always speaker's positional contexts that feed into character to determine the content of an utterance, is the central view that Egan primary assumes and argues against.

Egan's argument begins by demonstrating instances that prove the speaker only view to be insufficient when looking at particular instances. Egan poses the example of a billboard, where Horton produces said billboard with the sentence "Jesus loves you" written on it. The context in which this occurs is called INSCRIBE. Then two men, Frank and Daniel each drive past the billboard and read the sentences on the billboard. If c is INSCRIBE, "you" will, presumably, refer to some group and the proposition expressed will be something of the form, Jesus loves G . Here the G is the group that Horton had in mind at the time of the writing or all the people who will ever read the billboard. But this

is incorrect, as the natural thing to say is that the billboard expresses to each reader the relevant singular proposition about them. In the case of the billboard, one is presented with the possibility of multiple simultaneous audience members. If “you” is a function that takes a context of utterance as an argument and delivers a group or individual as semantic value, one will only obtain one referent per context of utterance. This could be described as a *shotgun assertion*, where different asserted content is going out to different audience members rather than a single content. As such, when one takes the speaker only position, the fact that one has got to have the same input to the function that determines the content expressed to the many readers of the billboard, it presents a problem to what one would naturally assume a reader of the billboard would interpret; this being that the billboard expresses to each reader a singular proposition about them⁴³.

One might be inclined to believe that the “you” in the billboards is always referencing a group and thus there is no need to abandon the speaker only position. However, even if one were to assume this if person x knows that he is a member of the group to whom “you” refers to, he is also in a position to correctly assume that is the group proposition if true then the singular proposition is also true. Hence, the group proposition will very likely bring about the singular proposition and vice versa. The case where of the Uncle Sam recruiting poster with the caption “I want you for the US Army” further stresses that “you” conveys to each reader their own importance to the US Army⁴⁴.

⁴³ Egan, “Billboards,” 258-262.

⁴⁴ Egan, “Billboards,” 263-264.

After having looked at the previous examples, it becomes evident that if one wants to adopt a better-capacitated theory, one in which the semantic value of context-sensitive expressions is not only sensitive to the speaker of the utterance, but also to the audience that receives the proposition ⁴⁵. As such, one must deviate from the traditional picture of how sentences determine truth value context:

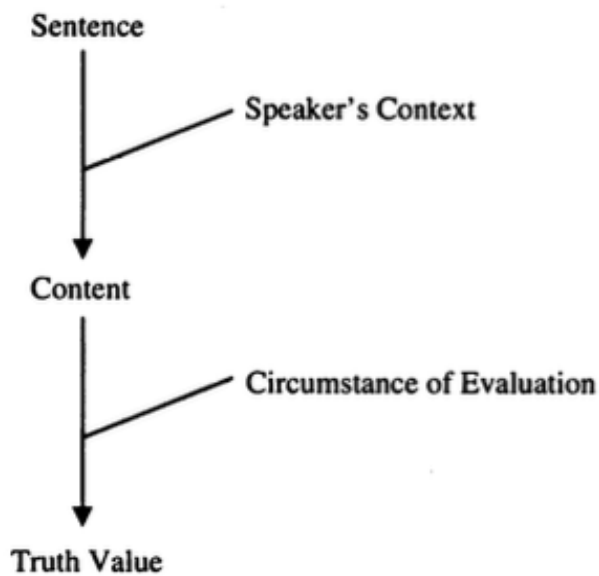


Figure 1. Positional notion of content. Source: Andy Egan, “Billboard, Bombs and Shotgun Weddings,” *Synthese*, January 2009.

One must instead embrace, as Egan’s depiction shows, the positional notion context that resembles the following illustration:

⁴⁵ Egan, “Billboards,” 229.

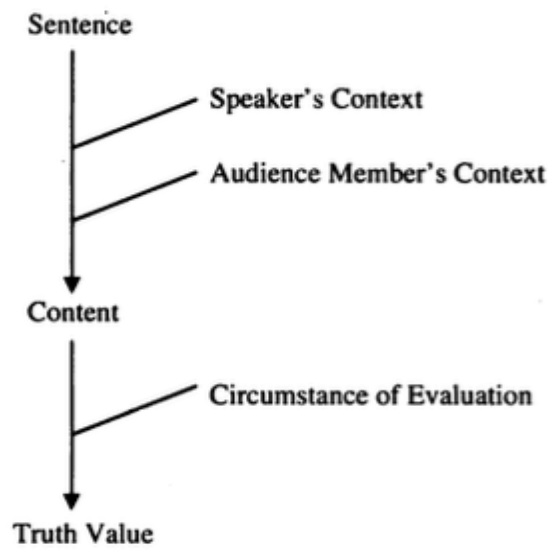


Figure 2 Positional notion of context. Source: Andy Egan, "Billboard, Bombs and Shotgun Weddings," *Synthese*, January 2009.

Having articulated and given several instance of how the speaker only position fails, Egan successfully demonstrates why one should take the new model into consideration. Egan's proposed model needs not to be neglected, as the possibility of cases in which a single speaker is simultaneously participating in two or more different conversations is plausible. The model allows for the explanation of how a single utterance can convey something different for several people. For this reason, one must embrace the new model that does not only acknowledge the speaker's context, but also the audience member's context. Thus, Egan manages to successfully defend a model that incorporates the perspective of those who are at the receiving end of a conversation, and not just the speaker of the utterance. In the end, it is accepted that most of the words that one uses appear to be sensitive to the context of speech. What one asserts and believes is shaped by the context in which one speaks. However, while much consideration is often given to

the one who utters a sentence, as Egan shows, it is equally important to give more consideration to the listener, as the meaning of a sentence is shaped by both actors in the conversation.

CHAPTER THREE

Analyzing the Rhetoric of México's National Human Rights Commission

Under the philosophy of language arguments articulated by Andy Egan and Jennifer Lackey, this chapter will proceed to analyze the dynamics of communication that surround the CNDH to make a proper assessment of its strengths and deficiencies when conveying its messages. The following except serve as an example of how the published recommendations by the CNDH are usually articulated. To be precise, the text below is on the investigation of serious human rights violations that took place in the city of Allende located in the Mexican state of Coahuila. From this point, Chapter Three will describe the incident in Allende before analyzing the CNDH's dynamics of communication-based on the argument made by Lackey and then proceeding to carry out a similar analysis based on the Egan's text.

On March of 2011, in the cattle town of Allende, the Zetas cartel, one of the most infamous drug trafficking organizations in the world, carried out numerous heinous crimes. Among the crimes the cartel's gunmen were convicted of were, inter alia, the destruction of homes and businesses, and the kidnapping of dozens, possibly hundreds, of the town's men and women. In the aftermath of the destruction, a few miles outside the town, the gunmen descended into neighboring ranches where they disposed of the bodies

of those previously killed through burning⁴⁶. In their *recomendaciones*, the CNDH responded to the incident by stating the following:

For this National Commission, the “disappearance of a person represents an unavoidable challenge for the State, because its machinery of justice and investigation is put to the test; not only in front of its citizens, but before the concert of international and civil organizations that strive at all times for the respect and validity of human rights. In the case of forced disappearance, the existence of a single case is unacceptable and should move us as authorities and as a society to reach the truth and encourage its practice to be eliminated completely.”

This National Organization maintains that the forced disappearance of people “is an ignominious practice, contrary to human dignity and implies the absolute denial of human rights. It is a multi-offensive crime, which hurts society. It affects and attacks not only the disappeared person, but also their loved ones and relatives who [in addition] to the pain of absence, have to add living with uncertainty, anguish, and despair about the fate of the one who disappeared. In the case of the forced disappearance of persons, the identification and punishment of those responsible is not enough. The validity to the right to truth and due attention of victims require as a priority the location of those who were disappeared and knowing their whereabouts.”

In the “Special Report of the National Human Rights Commission on the disappearance of people and clandestine graves in México, “it was stated that “[...] the problem of disappearances persists in the country as a result, among other things, of a lack of prompt and expeditious prosecution. Far from produce effective and sustainable investigations for the location of the victims and the exercise of criminal action against those responsible, in most cases it places the aggrieved and their families in a state of abandonment; [therefore,] revictimizing them by making their rights contemplated in Article 20, Section C, of the Political Constitution of the United Mexican States nugatory⁴⁷.

⁴⁶ Ginger Thompson, "La Historia Del Asalto Mortal a Un Pueblo Mexicano Cerca De La Frontera Con Texas. Y La Operación Antidrogas Estadounidense Que Lo Desencadenó," *ProPublica*, June 12, 2017, <https://www.propublica.org/article/allende-zetas-cartel-masacre-y-la-dea>.

⁴⁷ México, La Comisión Nacional De Los Derechos Humanos De México, *RECOMENDACIÓN No. 10 VG/2018*, by Luis Raúl González Pérez (Mexico City, Edo. Méx: La Comisión Nacional De Los Derechos Humanos De México, 2018): 26-27.

The language used by the CNDH to speak about human rights and the negligence of the Mexican state to protect does not compare to the rhetoric used in other legal documents. Instead, the language of the CNDH demonstrates how the commission empathies not only with the families of those who suffered as a result of the incident but also with those who have been victims of the ongoing violence in Mexico. In this manner, the rhetoric of the commission is more emotive than it is stoic. However, even with the commission's willingness to commiserate and provide recommendations to help those who have been victims of violence, there appears to be minimal support for the CNDH among the Mexican public.

The CNDH has often been plagued by criticism from both national and international human rights organizations, with some even considering the commission completely ineffective. In 2008, José Miguel Vivanco, director of the Human Rights Watch's American division, claimed that it was a pity that the then president of the CNDH simplified the criticisms it received and avoided severe discussions concerning the management of an institution that was meant to lead change in human rights and the expansion of public freedoms⁴⁸. Moreover, the societal perception that the CNDH is not an essential institution that will aid in preventing the debasement of society derives from the seemingly stunted development of the CNDH that has in occasion prevented the

⁴⁸ José Miguel Vivanco, "¿Cuánto Vale la CNDH?" Human Rights Watch, March 2, 2008. <https://www.hrw.org/es/news/2008/03/02/cuanto-vale-la-cndh>.

commission from acting. Such as when the ombudsman of the commission failed to issue recommendations in systemic rights violations during the rise of femicides in Juarez⁴⁹.

As has been seen with demagogues and autocratic governments, there can exist broad public support for those who have actively failed to protect the state. While it is true that some might support the ideas of such individual as their interest might align with them; there are instances where these individuals, instead of becoming a *persona non grata*, garner support from those whose views contradict those of the autocrat. This is not to say that the CNDH is similar to an autocratic institution that has somehow eroded normative ideals of public reason. On the contrary, the CNDH is a symbol and key player in the protection of human rights. In this instance, the example of the autocrat is meant to demonstrate that the one who is chosen to make deliberations on behalf of an organization is key to garnering public support. As such, to comprehend the deficiencies and strengths of the spokesperson of the CNDH, one must now turn to Lackey's argument.

When applying the resources on pragmatics based on the philosophical theory of language provided by Lackey, one observes that the structure of the CNDH does comply with the inflationary view. To be more exact, the types of assertion is authority based group assertion. Not only, as previously stated in Chapter One, is the statement written by the president of the commission who is appointed by the Senate, Luis Raúl Gonzalez

⁴⁹ Jodi Finkel, "Explaining the Failure of Mexico's National Commission of Human Rights (Ombudsman's Office) after Democratization: Elections, Incentives, and Unaccountability in the Mexican Senate," *Human Rights Review* 13, no. 4 (December 2012): 486-487.

Pérez, but it is presented as being the opinion of the whole CNDH. The speaker of the text never speaks for himself, but instead serves as the spokesperson for the commission. In this manner he is both the spokesperson and a member of the group. Moreover, the president of the CNDH is granted a certain degree of autonomy and is permitted to speak on behalf of the commission; as the the above text shows, the president has the authority to convey the message concerning the violation of human rights in Allende since it belongs to the domain of things he is tasked to do.

Seeing as the circumstances of the spokesperson of the CNDH follow Lackey's theory of group assertion, it is reasonable to deduce that the president of the commission is also susceptible to the difficulties of the spokesperson in the authority based group assertion account. One of these difficulties being that the spokesperson does not need to be acknowledged by the group to represents it. In the case of the CNDH the members of the CNDH do not partake in appointing the next president of the commission, but rather an external government body is the one that ultimately holds the authority to assign the next person to lead the commission. The situation under which the president is appointed does not permit one to know if the member of the commission itself agree or area against the appointment of the next CNDH president. In light of the situation, it is possible to be a certain degree of dissent within the commission. A further difficulty that presents itself is that the general public does not need to accept the authority of the next president of the CNDH. Although such a case makes the appointment of the next CNDH president a more straightforward procedure, seeing as the CNDH is tasked with protecting and disseminating human rights if it lacks the support from the Mexican population it could

make the CNDH rather ineffective. A lack of popular support and acknowledgment could result in less support from the state as the government does not feel societal pressures to comply with CNDH recommendations. As such, the messages from the commission, like the one from Allende, when the commission asked the mayor of the city aid as there was suspicion of local officers potentially being involved in the incident, has the potential to be disregarded by both authorities and the public.

Thus, beyond providing a fitting theory in the understanding of the spokesperson of the CNDH, Lackey's argument offers a comprehensive argument of some of the difficulties that can thwart the commission from effectively conveying a message through their spokesperson. In the end, the argument on groups assertion allows one to acknowledge not know how the role of the spokesperson function within the CNDH, but also how this figure might falter due to external factors⁵⁰.

Having looked at the difficulties that plague the CNDH spokesperson, it is essential to consider other problems of communication that might afflict the commission's ability to communicate. As such, to further the analysis of the issues that challenge the CNDH's communication, it is necessary to examine the public perception. To carry out such a task, one must turn to Egan's account of context, where both the speaker and listener of the utterance are taken into account.

⁵⁰ Gloria Leticia Díaz, "La CNDH Sobre Masacre De Allende: Agentes Municipales Y Personal De La Sedena, Posibles Implicados," *Proceso*, March 19, 2018. <https://www.proceso.com.mx/526699/cndh-sobre-masacre-allende-agentes-municipales-personal-sedena-posibles-implicados>.

Egan's argument takes one further into the analysis of the CNDH as his text on context-dependence allows one to consider those who are receiving an utterance. Under the case of the CNDH, those who are intended to receive its messages are not only government authorities, but also the general Mexican population. Egan shows us that though there is a singular narrative that the commission is seeking to convey to its audience, a sentence uttered at a particular context can have different contents concerning the differing perspectives from where it is considered. In this manner, there exists a particular type of audience sensitivity, which make the contents of a sentence more contingent on the standpoint of the audience. As such, when looking at the varying social standing of the intended audience of the CNDH, it becomes all the more important to consider how the audience will perceive a message.

The document on the case of Allende, beyond conveying the CNDH's feelings towards the incident in the city, gives an account of the events and afterward mentions the recommendations of the commission. However, even though the information on the Allende incident is compiled from a variety of sources, also going as far as looking at reports made by the College of Mexico, the University of Texas, and the International Federation for Human Rights, there appears to be a lack of connection between the perspective of CNDH and that of the general public⁵¹. It holds that among the information gathered there were first-hand testimonies; however when compared to the CNDH's dealings with authorities and other groups, the commission's contact with the general population appears to be only a modicum of those whom they connect with.

⁵¹ Díaz, "La CNDH Sobre Masacre De Allende."

Having a limited connection with the public can affect the CNDH's methods of communication as they are unable to appeal to a group whose role in defending human rights is equally as important as that of a government institution. It is the argument that Egan provides that allows one to observe such a phenomenon since similar to if one is only fixated on the nature of the speaker's contents, it becomes troublesome as if the CNDH exclusively focuses on the contents of certain groups at the time of an utterance. As things stand, the CNDH appears to mostly consider how the context of those with high positions within the field of human rights and Mexican authorities might affect the contents expressed. Instead, the commission should attempt to comprehend the rationalization of the general public since the effectiveness of a perlocutionary act is also dependency on how efficiently a message is conveyed to the everyday person. It is only when the CNDH makes an active effort to connect and understand the context of the standard Mexican denizen, that the commission will be able to relay their message on the protection of human rights in a better manner.

After looking at the case of the CNDH under the previously articulated arguments, it appears that the current state of the commission is negatively affected by the president of the commission not being compelling enough due to a lack of support and the inability for the member of the commission from taking the context of the common man into consideration. What is presented throughout this analysis is that the CNDH should be more mindful of how they communicate, as it is an essential component in being able to protect human rights; for when a message is neglected, it loses its impact. In sum, the CNDH is both a powerful organization within Mexican society and an essential

component in the protection of human rights. Thus it should ensure that its messages are conveyed adequately since rhetoric can be a compelling impetus, especially when enough people head to and comprehend a message.

CHAPTER FOUR

Analyzing the Rhetoric of El Movimiento por la Paz con Justicia y Dignidad

Similarly, like Chapter Three, this chapter will follow the format of analyzing the statements given by Sicilia by first looking at Lackey's argument and then proceeding to carry out a similar analysis based on Egan's argument. The following text from the MPJD that will be examined in light of the arguments made by Jennifer Lackey and Andy Egan is one of the many speeches given by the poet and founder of the MPJD, Javier Sicilia. The speech, where much of the grievances of Sicilia and his followers are articulated, was given when the caravan arrived at the Zócalo in Mexico City:

Everyday we hear terrible stories that pain us and make us wonder, "When and where did we lose our dignity?" The chiaroscuro is interspersed over time to warn us that this house where horror lives is not the house of our parents, but it is. It is not from those who offered the best of their loves to build a more just and democratic country, but it is. This house where horror lives is not the México of Salvador Nava, of Heberto Castillo, of Manuel Clouthier, of the men and women of the southern mountains — from those Mayan pueblos who set their language in this nation— and of the many other that have reminded us of dignity, but it is. It is not [the México] of the men and women that wakeup every morning to got to work, and with honesty support themselves and their families, but it is. It is not [the México] of the poets, of the musicians, of the painters, of the dancers, and of all the artist who reveal the human heart that moves us and unites us, but it is. Our Mexico, our house, is surrounded of greatness, but there are also cracks and abysses that, because they were expanded due to negligence, complacency, and complicity, have driven us to this hideous desolation.

It is these cracks, these open wounds, and not the greatness of our house that have also obligated us to walk all the way here, interlacing our silence with our pain in order to speak directly to your faces that you have to learn to look and to listen, that you have to name all of our dead. Those who the wickedness of crime has murdered in three ways: by depriving them of life, by criminalizing them, by burring them in mass graves with an ominous silence that is not ours. We are telling you with that with our

presence we are naming the infamous reality that you, the political class, the so-called powers that be and their sinister monopolies, the hierarchies of the economic and religious powers, the government, and the police forces have negated and continue to negate. It is a reality where the criminals, in their dementia, look to establish us as allies through the omission of those who hold some form of power⁵².

When looking at the MPJD, the movement has not received as much criticism as the CNDH. In fact, the movement has primarily enjoyed widespread praise from both domestic and international human rights organizations. In juxtaposition to the government that has historically neglected the general population, MPJD is perceived as the amalgamation of multiple groups who have sought to gain broader recognition as the movements is composed of various eclectic groups; such as laborers, students, peasants, ecclesiastical communities, and feminists. The movement is one that is not only seen as combating fear but also as willing to engage with the political system in an effort to create paths for positive change⁵³. It is because of the generally positive perception that most have of the MPDJ that it proves to be an interesting comparison to the CNDH, because despite the actuality that both groups share the objective of defending human rights the MPDJ receives more praise than the CNDH.

⁵² Javier Sicilia and Eduardo Vázquez Martín eds, *El Movimiento Por La Paz Con Justicia Y Dignidad* (Mexico City, Edo. Méx: Ediciones Era, 2016), 60-62.

⁵³ Contreras Pérez, Gabriela, Joaquín Flores Felix, Araceli Mondragón González, and Isis Saavedra Luna, eds, *No Nos Alcanzan Las Palabras: Sociedad, Estado Y Violencia En México*, (Mexico City, Edo. Méx: Universidad Autónoma Metropolitana, 2014): 128-141.

To observe some of the merits of the MPJD's deliberation of their message, it is essential to first analyze the spokesperson of the movements under Lackey's argument. In this case, the spokesperson of the MPJD, Sicilia, fits in with the authority based group assertion. Unlike the president of the CNDH, where the Mexican Senate appoint the person who will lead the commission, Sicilia began the movement on his own; however, he has maintained his leadership due to the support from the member of the organization. In this manner, the MPJD somewhat falls under the inflationary view. However, the MPJD poses particular characteristics that inhibit one from categorizing the movement as falling under inflationary and authority based group assertion. The MPJD has some aspects of Coordinated group assertion in that the members of the MPJD work collaboratively to determine their agenda. As such, the articulation of the six points of the movements to the state is usually worded with the phrase "we demand"⁵⁴. In this manner, the work of the CNDH takes collaborative work more into account. Furthermore, the MPJD is also somewhat deflationary in that the statements and acts of the group, in this the members of the movements and the people that the caravan encountered, could be considered to be summed up. The reason for this claim being that the MPJD has become a vehicle that conveys multiple agendas that are primarily concerned with the security of the Mexican people⁵⁵.

It might be because the MPJD has components from the inflationary and deflationary views that Sicilia does not appear to suffer from the potential difficulties that

⁵⁴ Sicilia, *El Movimiento* 80-84.

⁵⁵ Sicilia, *El Movimiento*, 236-237.

a spokesperson might encounter. Because Sicilia consults both the members of the MPJD and has reached out to the general public personally, he has a comprehensive understanding of people's concerns and demands. The circumstances make it so that Sicilia is acknowledged by the members of the movement and the general Mexican population.

Taking into consideration the high public regard for the MPJD it could be said that the fact that Sicilia is the spokesperson because of popular support, and not because of an authority figure appointed him, has been a boon for the movement. Not only does the support for Sicilia stem from within the movement, but it is also derived by people who have chosen to follow the MPJD. Thus, from looking at Lackey's argument, it would seem that the effectiveness of Sicilia is due partially to the amalgamation of different types of group assertion.

Now, turning to Egan's argument, since the MPJD has a close connection to the members of the organization and those who support the movements, both of which are composed of individuals who have suffered due to the volatility of the country, there appears to be an acknowledgment for the contents of the listeners. In this regard, the MPJD is aware of the context under which the people perceive its messages, and as such can modify how they convey information in a way that will establish a clear body of knowledge under which the movement's context derives from. As seen in the above text, Sicilia creates his context when he expresses why the movement has chosen to take action against the ongoing war on drugs. Thus, the MPJD can adequately convey its message and rally support, as it makes the general public cognizant of the troubles that

the members of the movement have encountered. Moreover, the context does not only help the MPJD convey its message to the people, but also to government officials that may not be entirely conscious of the troubles of the people. In this respect, the MPJD communicates well, as they take into account the contents that people will receive when they make an utterance.

In sum, the MPJD can successfully communicate its message as Sicilia's position as a spokesperson does not only fall under the inflationary view, but it also shares some components with the deflationary view. The combination of the two makes it so that the spokesperson is acknowledged by both the member of the MPJD and the general public. Moreover, the movement's connection with those who have suffered allows the MPJD to create a body of information under which their context is derived from. This makes it so that the contents from the public and the government accurately represent what the MPJD hopes to achieve and communicate to those outside the movement. In this respect, the MPJD understands that to be effective they need to be able to communicate with people from eclectic backgrounds, as their words have been what has helped elevate the plight of many people in Mexico.

CHAPTER FIVE

Final Analysis

It is recognized that all human beings possess certain inalienable rights that the state has to both guarantee and respect. These rights have evolved throughout history, and in many cases, their integration has been a process that required arduous effort on behalf of those who are in most need of their recognition. Diverse groups have praised the changes that have resulted from the acceptance of human rights, for such changes were a consequence of conflicts between the state and the societies they represent. The outcomes of the acknowledgment of human rights did not only present itself in changes in legislation but as previously mentioned, it was also seen in the creation of institutions such as the CNDH⁵⁶. However, in Mexico, the current turbulent environment has given rise to a type of social malaise, that has made people perceive the concept of human rights as asinine. These sentiments have more than ever increased the need for not only that state, but for the general population to acknowledge the importance of human rights in society. Taking this sentiment into consideration highlights why the methods of communication of both the CNDH and the MPJD have become more salient as people should be more conscious of the importance of human rights, especially in a time when safety is not guaranteed in Mexico.

Having analyzed the text from both the CNDH and the MPJD, it is essential to now look at the merits and deficiencies that each one has in their methods of communication.

⁵⁶ Pérez, *No Nos Alcanzan Las Palabras*, 91-92.

The information from the analysis allowed one to see each group is affected by particular factors when conveying their messages. Initially, both analyses focused on observing the spokesperson of the groups under the argument provided by Lackey. In the case of the CNDH, it became evident that the group fell under the category of authority based group assertion. The analysis demonstrated that through the methods through which the president of the commission was assigned, presented problems for the movements. These problems presented themselves in the president's inability to adequately convey his message, as if there remained the possibility for the president, as a spokesperson, to be neglected by both members of the CNDH and those outside the commission. However, in the case of the MPJD, it was observed that how Sicilia was appointed to be the spokesperson of the movements did not directly align with a singular theory of group assertion. Instead, the MPJD appeared to share aspects of group assertion under both the inflationary and deflationary views. As such, Sicilia did not face a high risk in regards to his message not being recognized. The combination of both views of assertion made it so that Sicilia's position is not neglected by members of the MPJD and the general public, as his ability to be spokesperson is contingent on the acknowledgment of both groups. Thus, under the argument posed by Lackey, it would seem that for a spokesperson to be effective he needs to share aspects of both the inflationary and deflationary views to mitigate possible problems that the spokesperson might face.

In regards to Egan's argument, when looking at the CNDH and the MPJD, both movements have informational elements that, either consciously or subconsciously, have allowed them to take them into account the context of others. When observing at the

CNDH, when they are making their recommendations or researching a case, they compile a verity of information for different sources. This allows them to not only understand the concerns of other human rights organization concerns but also of those of the people and the government. In the case of the MPJD, its nearness to its contingent and other outside the movement who have grievances that derive from the dissemination of violence in Mexico has permitted it from understanding the context under which those people will perceive their message. It thus facilitates the creation of a more cogent and similar message in a group of people who understand the pain. Moreover, in its speeches, it directly speaks to the members of the government and effectively articulates their perspective in order from them to comprehend why they have decided to rally. However, while MPJD does more to incorporate important perspective, the CNDH is more concerned with the views of those in high standing positions within the government or the field of human rights. As such, their messages do not resonate as much with the everyday person, which in the end serves to their detriment. In its current state, the CNDH, unlike the MPJD, fails to consider the context of the ordinary person.

In sum, the CNDH could be more proactive in their incorporation of methods of communication that make grassroots movements like the MPJD so successful. They could attempt to make their spokesperson someone who is not only respected but acknowledged by those within the CNDH and those outside of it. Also, the CNDH needs to do more to consider the sentiments that the common person feels. Such a practice could aid the CNDH in understanding the context under which most people in Mexico understand their message. Most people in Mexico feel alienated from the government,

which makes it more salient to attempt to incorporate the through of the people even more in future recommendations made by the CNDH.

Though there exist a verity of factors that affect the effectiveness of the modern moral language of institutions such as the CNDH and the MPJD, it is critical to remain aware of how human rights rhetoric is both conveyed and received in common discourse. The purpose of the disquisition found in this text is to elucidate and demonstrate how a message is conveyed just as importer as other activities carried out by groups. Though it would appear that expressing something through rhetoric would be a simple act, there are tacit implications that groups can neglect and as such, fail to communicate with their listeners accurately. The power of messages, as observed with other social movements, is one of the most potent tools that those who have been oppressed, or those feel that the government has shirked the responsibility towards them, posses. As such, it is essential to be able to adequately communicate, as those who fight for human rights are defending those who have lost their voice.

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